



AN ACT PROVIDING THAT IN A HUNTING DISTRICT OR PORTION OF A DISTRICT WHERE THE HOLDER OF A GENERAL ELK LICENSE IS ALLOWED TO HUNT ANTLERLESS ELK DURING CERTAIN TIMES, THE HOLDER OF A SPECIAL ELK PERMIT TO HUNT ANTLERLESS ELK IN THAT DISTRICT OR PORTION OF A DISTRICT MAY ALSO HUNT ANY ELK AUTHORIZED UNDER THE REGULATIONS FOR A GENERAL ELK LICENSE DURING THOSE SAME TIMES; AMENDING SECTION 87-2-704, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Section 87-2-704, MCA, is amended to read:

**"87-2-704. Regulation of special elk permits.** (1) The department may:

(a) provide for the refund of resident elk tag license fees to persons applying for special elk permits in hunting districts where there is no general elk hunting and set time limits and describe area restrictions; and

(b) designate special elk permit areas where priority will be given to applicants who have not held special elk permits for a period of years to be determined by the department.

(2) The department shall provide that a person who is issued a special elk permit to hunt antlerless elk during the regular hunting season is:

(a) limited to the hunting and taking of only an antlerless elk in the hunting district or portion of a hunting district where the permit is valid, except that in a hunting district or portion of a district where the holder of a general elk license is allowed to hunt antlerless elk during certain times, the holder of a special elk permit to hunt antlerless elk in that district or portion of a district may also hunt any elk authorized under the regulations for a general elk license during those same times; and

(b) entitled to the general elk hunting privileges for a holder of a Class A-5 license in all other hunting districts.

(3) The commission may establish a waiting period during which a person who has received a special elk permit that is valid for an antlered bull may not receive another special elk permit that is valid for an antlered

bull. The commission may specify which special elk permits are subject to the waiting period, by hunting district or portion of a hunting district.

(4) The fee for a special elk permit is \$4.

(5) The department may adopt rules necessary to implement this section."

**Section 2. Effective date.** [This act] is effective on passage and approval.

- END -

I hereby certify that the within bill,  
SB 0188, originated in the Senate.

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Secretary of the Senate

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President of the Senate

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2009.

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Speaker of the House

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2009.

SENATE BILL NO. 188

INTRODUCED BY BALLYEAT, BONIEK, BENNETT, CURTISS, BLACK, HINKLE, BLASDEL, BUTCHER,  
KERNS, KASTEN, MENDENHALL, LAIBLE, RIPLEY, DE. BARRETT, WARBURTON, GEBHARDT,  
HENDRICK, JACKSON, MORE, MURPHY, O'HARA, PHILLIPS, SALES, SHOCKLEY, SMITH, VANCE

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